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This message is from:

Name: Sylvia A. Ayler
Fax number: (732) 594-2250
Phone number: (732) 594-4909

RE: USSN: 10/570,913
Filing Date: March 1, 2006
Applicants' Ref.: Case 21437Y
For: OPTHALMIC COMPOSITIONS FOR TREATING OCULAR
HYPERTENSION

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Dong-Ming Shen
Serial No. : 10/570,913 Case No.: 21437YP Art Unit:
Filed : March 3, 2006 1623
For : Ophthalmic Compositions for Treating Ocular Hypertension Examiner:
Taofiq A. Solola
.....

Commissioner for Patents
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

Serial No.: 10/570,913
Case No.: 21437YP
Page 2

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This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to 37 CFR § 1.98(a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application are not enclosed herewith. Copies of the other references that are cited on the attached form PTO-1449 are enclosed herewith.

Pursuant to 37 CFR § 1.97(d), this Information Disclosure Statement is being filed after the mailing of a Notice of Allowance under § 1.311. Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

You are authorized to charge Merck Deposit account No. 13-2755 for the fee pursuant to § 1.176. Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By


Sylvia A. Ayler

Reg. No. 36,436

Attorney for Applicant

MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-4909

Date: July 22, 2008